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PTO/SB/17 (06-07)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Appendix Deduction Act of 1995, no person are required		
Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818		plete if Known 10/705,506-Conf. #1163
	7.55.00.00.00.00.00.00.00.00.00.00.00.00.	November 12, 2003
FEE TRANSMITTAL		Tetsuo Take
For FY 2007		J. A. Mercado
Applicant claims small entity status. See 37 CFR 1.27		1745
TOTAL AMOUNT OF PAYMENT (\$) 0.00		32307-198662
METHOD OF PAYMENT (check all that apply)		
X Deposit Account Deposit Account Number; 22-0261 Deposit Account Name: Venable LLP		
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)		
Charge fee(s) indicated below Charge fee(s) indicated below, except for the filling fee		
Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17		
FEE CALCULATION		
1. BASIC FILING, SEARCH, AND EXAMINATION FEES		LATION FEES
FILING FEES Small Entity	EARCH FEES EXAMIN Small Entity	NATION FEES Small Entity
Application Type Fee (\$) Fee (\$)	(\$) Fee (\$) Fee (\$)	Fee (\$) Fees Paid (\$)
Utility 300 150 50		100
Design 200 100 10		65
Plant 200 100 30		80
Reissue 300 150 50		300
Provisional 200 100	0 0 0	0
2. EXCESS CLAIM FEES		Small Entity Fee (\$) Fee (\$)
Fee Description Each claim over 20 (including Reissues)		50 25
Each independent claim over 3 (including Reissues)		200 100
Multiple dependent claims		360 180
Total Claims	e Paid (\$) <u>M</u>	ultiple Dependent Claims
- 20 = x =	<u>F</u> e	ee (\$) Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.		<del></del>
	e Paid (\$)	
-3 = X = HP = highest number of independent claims paid for, if greater than 3.		
3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).		
-	n additional 50 or fraction therec	
100 = /50 =	(round up to a whole number)	
4. OTHER FEE(S)		Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)  Other (e.g., late filing surcharge):		
SUBMITTED BY	Registration No. 26 022	
Signature / //////////////////////////////////	(Attorney/Agent) 26,032	Telephone (202) 344-4000
Name (Print/Type) Marina V. Schneller		Date June 20, 2007

#869418

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Tetsuo TAKE** 

Application No. 10/705,506

Confirmation No. 1163

Filed: November 12, 2003

For:

**FUEL CELL POWER** 

GENERATING SYSTEM WITH

TWO FUEL CELLS OF DIFFERENT TYPES AND METHOD OF CONTROLLING Art Unit: 1745

Examiner: Julian A. MERCADO

Atty. Docket No. 32307-198662

Customer No.

26694
PATENT TRADEMARK OFFICE

## **INTERVIEW SUMMARY**

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

On June 18 and 19, 2007 the undersigned called Mr. Ryan, the supervisor, concerning the procedures outlined below; on the 19<sup>th</sup> Mr. Ryan was reached and the following was briefly discussed.

In the June 14, 2007 Notice of non-responsiveness, the Examiner alleges that the previous AMENDMENT was not responsive, allegations which the Examiner could have made in the first Notice of non-compliance. Simply stated it was indicated to Mr. Ryan that the applicant had replied to the first Notice of non-compliance and the Examiner did not dispute the correctness of that reply but now raised a totally different issue in the June 14 Notice which had no basis in the first Notice. The import of Rule 104 is to consolidate all issues. The USPTO

process here is without a view to consolidation of issues and appears to be piece-meal. Mr. Ryan indicated that he would review the situation and get back.

Respectfully submitted,

Date: June 20, 2007

Marina V. Schneller Registration No. 26032

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